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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,260	02/09/2004	Jacob Lamm	655/73507	1243

7590 11/27/2007
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New York, NY 10036

EXAMINER

ZENATI, AMAL S

ART UNIT	PAPER NUMBER
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4183

MAIL DATE	DELIVERY MODE
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11/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/775,260

Applicant(s)

LAMM ET AL.

Examiner

Amal Zenati

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1 - 20** are rejected under 35 U.S.C 102 (b) as being anticipated by **Gilles et al (US 6249578 B1; hereinafter Gilles)**.

Consider **claims 1, 9, and 15**, Gilles clearly shows and discloses a method, a system, and a program storage device readable by machine tangibly embodying a program of instructions executable by the machine to perform method steps of providing self- supporting service consumers, comprising: allowing a service consumer to automatically consult one or more service policy rules associated with the service consumer to request a service; automatically initiating one or more actions associated with the service policy and the requested service; and automatically invoking one or more service provider tools based on the service policy and the requested service (col. 14, claim 1, line 18-40; col. 18, claim 10; col. 6, line 11-14; and figure 1).

Consider **claims 2 and 16**, Gilles clearly teaches that the method, and the program device further including: communicating one or more service events that occurred as a result of the automatically initiating one or more actions and the automatically invoking one or more service provider tools (col. 14, claim 2).

Consider **claim 3 and 17**, Gilles further teaches the method and the program device, wherein the communicating includes logging (password) the one or more service events (col. 4, line 25-30).

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Consider **claims 4, 11, and 18, Gilles** further teaches the method, the system, and the program device, wherein the consumer includes hardware devices, software applications, or combinations thereof (col. 3, line 35-39).

Consider **claim 5, Gilles** further teaches that the method wherein, the software applications include over-the-counter application, custom applications, or combinations thereof (col. 5, line 9-15).

Consider **claims 6 and 12, Gilles** further teaches that the requested service is a request to provide a solution to fault (error, exception, and mishandled) that occurred in the service consumer, wherein the service includes handling an exception (col. 5, line 55-58; and col. 6, line 5-7).

Consider **claims 7, 13, and 19, Gilles** further teaches that the method, the system, and the program device, wherein the one or more service provider tools include knowledgebase, trouble ticketing tool, escalation tool, workflow tool, software delivery tool, or combinations thereof (col. 5, line 16-18; and col. 6, line 11-14).

Consider **claims 8 and 20, Gilles** further teaches the method and the program device that further allowing the service policy to be modified based on the automatic initiating and the automatic invoking steps (col. 8, line 64-67).

Consider **claim 10, Gilles** further teaches the system that including: a web-enabled application programming interface residing in the one or more service consumers; and a web service communication with the container, wherein the one or more service consumers communicate to container via the web-enabled application programming interface and the web service over the world wide web (figure 2; col. 6, line 41-50; col. 7, line 3-12).

Consider **claim 14, Gilles** further teaches the system that further including: an analysis tool operable to receive events occurring as a result of the service provided to the one or more

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consumers, the analysis tool further operable to modify the service policy based on received events (col. 5, line 51-57; col. 7, line 27-31).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amal Zenati whose telephone number is (571)270-1947. The examiner can normally be reached on Monday-Friday from 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on 571- 272- 1184. The fax phone number for the organization where this application or proceeding is assigned is 571- 571-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 20, 2007

Examiner Amal Zenati
/Amal Zenati/


LEN TRAN
PRIMARY EXAMINER
11/23/07